IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY FIRST DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 1235 of 2005

Between:

Syed Muneer Basha, s/o late Syed Musthafa Saheb,
Kurnool, r/o 16/32-B, Near Masoom Basha Darga,

Kurnool, Kurnool District.

..... PETITIONER

AND

1 The Managing Director,

APCPDCL (Andhra Pradesh Central Power
Distribution Company Limited), Hyderabad.
2 The Superintending Engineer (Operation), APCPDCL,

Kurnool, Kurnool District.
3 K.Naganna, U.D.C., A.P.C.P.D.C.L.,

O/o Superintending Engineer (Operation),
Kurnool, Kurnool District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an order or direction particularly one in the nature of writ of Mandamus declaring the action of the respondents is not granting notional benefits to petitioner by revising the pay scale on par with junior 3rd respondent as per the list dt.05-02-2001 by taking the relevant date 17-12-1991 as the date of promotion in the lower cadre instead of on 15-6-1994 as illegal, arbitrary and discriminatory. Further directing the respondents to grant benefits of revision of pay scale in the cadre of U.D.C. w.e.f. 17-12-1991 to 15-6-1996 on par with 3rd respondent and grant all notional benefits including increments, arrears.

Counsel for the Petitioner: MR.P.SRINIVASULU
Counsel for the Respondents: MR.SAMINENI KISHORE

The Court at the admission stage made the following:

ORDER:

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This writ petition is filed to declare the action of the respondents in not granting notional benefits to the petitioner by revising the pay scale on par with the third respondent as per the list dated 05-02-2001, by taking the relevant date 17-12-1991 as the date of promotion in the lower cadre instead of 15-06-1994, as illegal and arbitrary.

Heard learned counsel for the petitioner and learned standing counsel appearing for the respondents.

It is for the respondents to take appropriate decision as to whether the petitioner is entitled for the notional benefits by revising the pay scale on par with the third respondent.

Therefore, without going into merits of the case, the writ petition is disposed of directing the respondents to take appropriate decision on the representation dated 17-10-2001 made by the petitioner within a period of two months from the date of receipt of a copy of this order. However, it is made clear that before taking appropriate decision, the petitioner should be given reasonable opportunity to represent his case. There shall be no order as to costs.

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21-02-2005

Note: Issue C.C in three days.

B/o.

Vs/usd

To

1 The Managing Director,

APCPDCL (Andhra Pradesh Central Power
Distribution Company Limited), Hyderabad.
2 The Superintending Engineer (Operation), APCPDCL,

Kurnool, Kurnool District.
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THE HON'BLE MR JUSTICE K.C. BHANU

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WRIT PETITION NO : 1235 of 2005

Dated: 21-02-2005

vs